

Amendment No. 1 to HB2812

Fowlkes
Signature of Sponsor

AMEND Senate Bill No. 2776

House Bill No. 2812*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1.

(a) From funds appropriated in the general appropriations act to the state treasurer for the purposes of this act, there is created within the general fund a "Methamphetamine Intervention, Treatment, and Enforcement Fund" which shall be distributed as follows:

(1) The sum of three million dollars (\$3,000,000) to the Tennessee bureau of investigation for the sole purpose of awarding grants to local law enforcement agencies in the counties most widely affected by and burdened with the problems associated with the manufacture, sale and use of methamphetamine. The bureau shall determine the most adversely affected counties and make available grants to the local law enforcement agencies in such counties. The bureau shall use whatever application requirements and criteria for awarding such grant money as it deems appropriate but all such grants shall be for the purpose of improving and increasing the enforcement of the current drug laws relative to methamphetamine. Grants may be awarded for both conventional law enforcement methods and innovative ones the bureau finds to be promising or potentially more effective than conventional means.

(2) The sum of one million nine hundred eighty thousand dollars (\$1,980,000) to the Tennessee district attorneys general conference for the sole purpose of awarding grants to the office of district attorneys general in the judicial districts most widely affected by and burdened with

the problems associated with the manufacture, sale and use of methamphetamine. The executive director shall determine the most adversely affected judicial districts and make available grants to the district attorneys general in such districts. The executive shall use whatever criteria for awarding such grant money as the director deems appropriate but all such grants shall be for the purpose of improving and increasing the prosecution of criminal cases involving the manufacture, sale and use of methamphetamine. Grants may be awarded for both conventional prosecution tools such as additional assistants or criminal investigators provided they are dedicated exclusively to the prosecution of methamphetamine cases and innovative proposals such as combining resources to form a multi-district methamphetamine task force to utilize specialized prosecutorial experience and expertise in multiple districts.

(3) The sum of one million twenty thousand dollars (\$1,020,000) to the Tennessee district public defenders conference for the sole purpose of awarding grants to the office of district public defenders in the judicial districts most widely affected by and burdened with the problems associated with the manufacture, sale and use of methamphetamine. The executive director shall determine the most adversely affected judicial districts and make available grants to the district public defenders in such districts. The executive shall use whatever criteria for awarding such grant money as the director deems appropriate but all such grants shall be for the purpose of improving and increasing the defense of criminal cases involving the manufacture, sale and use of methamphetamine. Grants may be awarded for both conventional criminal drug defense tools such as additional assistants or criminal investigators provided they are dedicated exclusively to the defense of methamphetamine cases and innovative proposals such as combining

resources to form a multi-district methamphetamine task force to utilize specialized criminal defense experience and expertise in multiple districts.

(4) The sum of three million dollars (\$3,000,000) to the Tennessee department of health for the sole purpose of awarding grants to local early intervention, treatment and education programs dealing with methamphetamine in the counties most widely affected by and burdened with the social and health related problems associated with the manufacture, sale and use of methamphetamine. The department shall determine the most adversely affected counties and make available grants to local health care or health resource agencies in such counties. The bureau shall use whatever application requirements and criteria for awarding such grant money as it deems appropriate but all such grants shall be for the purpose of early intervention into the cycle of the methamphetamine user, treatment of those already using and addicted, and education to prevent minors and young adults from ever becoming involved with methamphetamine. Grants may be awarded for both conventional intervention, treatment and education methods and innovative ones the department finds to be promising or potentially more effective than conventional ones.

(b) The amount of the grant money and the continued availability of such money shall be totally dependent upon the amount appropriated by the general assembly in the general appropriations act. For that reason there is not right to any such grant or that any such grant will continue to be funded beyond the fiscal year in which it is awarded.

(c) The director of the Tennessee bureau of investigation, executive director of the district attorneys general conference, executive director of the district public defenders conference and the commissioner of the department of health shall be responsible for monitoring all grants awarded by that agency,

conference or department. All grants and all money in the "Methamphetamine Intervention, Treatment, and Enforcement Fund" shall be subject to audit by the comptroller of the treasury.

(d) By February 1, of each year in which grants are awarded pursuant the "Methamphetamine Intervention, Treatment, and Enforcement Fund", the director of the Tennessee bureau of investigation, executive director of the district attorneys general conference, executive director of the district public defenders conference and the commissioner of the department of health shall file a report with the chief clerk of the house and chief clerk of the senate detailing the number and amount of "Methamphetamine Intervention, Treatment, and Enforcement Fund" grants awarded by that agency, conference or department during the previous year, the purpose for which the grant was awarded and the estimated success of the grant relative to its purpose.

SECTION 2. Tennessee Code Annotated, Section 39-17-414, is amended by adding the following new subsection (d):

(d) Methamphetamine Precursors.

(1) Ephedrine;

(2) Pseudoephedrine;

(3) Phenylpropanolamine; and

(4) Any of their salts, optical isomers or salts of optical isomers.

SECTION 3. This act shall take effect July 1, 2004, the public welfare requiring it.